

84TH CONGRESS
1ST SESSION

H. R. 7792

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 1955

Mr. VINSON introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To provide medical care for dependents of members of the Armed Forces of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Armed Forces Depend-
4 ents Medical Care Act of 1955".

5 SEC. 2. The Congress declares it to be the purpose of
6 this Act to provide a uniform program of medical care for
7 dependents of members of the Armed Forces. The Con-
8 gress believes that it is sound public policy to provide such
9 a uniform program of medical care as an important factor
10 in the creation and maintenance of high morale throughout
11 the Armed Forces because it assures military personnel at

1 home and overseas that the medical care of their dependents
2 is being provided for by the Department of Defense.

3 SEC. 3. Dependents of members of the Armed Forces
4 are authorized to be given medical care in accordance with
5 the provisions of this Act as implemented by regulations
6 prescribed by the Secretary of Defense, and approved by the
7 President—

8 (a) in military medical facilities subject to the
9 availability of space, facilities, and capabilities of the
10 medical staff;

11 (b) through an insurance plan, as provided by sec-
12 tion 5 of this Act; and

13 (c) from civilian medical sources pursuant to sec-
14 tion 6 of this Act, for dependents of members of the
15 Armed Forces not participating in an insurance plan
16 under section 5 of this Act, provided no military medical
17 facilities are available for such dependents.

18 SEC. 4. (a) Medical care is authorized to be given
19 dependents of members of the Armed Forces in military
20 medical facilities subject to the availability of space, facilities,
21 and the capabilities of the medical staff. The medical care
22 of dependents of members of the Armed Forces provided for
23 in military medical facilities shall in no way interfere with
24 the primary mission of the military medical services to
25 provide proper medical care for military personnel.

1 (b) The Secretary of Defense may establish charges for
2 any subsistence given dependents of members of the Armed
3 Forces in connection with medical care in military facilities.

4 (c) As a restraint on excessive demands for medical
5 attention in military medical facilities, additional charges
6 may be imposed for outpatient care but such charges shall
7 be limited to such amounts, if any, as may be established
8 by the Secretary of Defense pursuant to a special finding
9 that such charges are necessary.

10 (d) Any amounts that are received in payment for
11 subsistence and medical care rendered dependents in military
12 medical facilities shall be deposited to the credit of the ap-
13 propriation supporting the maintenance and operation or
14 subsistence of the military medical facilities furnishing the
15 care.

16 SEC. 5. The Secretary of Defense is authorized to con-
17 tract for the medical care, under the provisions of this
18 Act, of dependents of members of the Armed Forces, under
19 such private insurance plan or plans as he shall deem appro-
20 priate, subject to the following limitations:

21 (a) Members of the Armed Forces shall be entitled to
22 participate in such plan or plans upon filing of an application
23 to participate on forms provided by the Department of
24 Defense.

25 (b) The cost of each private insurance contract shall

1 be apportioned between the member of the Armed Forces
2 and the Government. The contribution by the member of
3 the Armed Forces shall not exceed 30 per centum of the
4 monthly cost and not to exceed \$3 per month estimated at
5 the time of his filing of a request to participate in such a
6 plan.

7 (c) Members of the Armed Forces may select such
8 optional coverage as such plan shall provide.

9 (d) Payment by a member of the Armed Forces of his
10 share of the cost of the premium of such private insurance
11 contract shall be by allotment of pay as the Secretary of
12 Defense shall prescribe.

13 (e) Such private insurance plan shall not provide for
14 any limitation on periods of authorized medical care for
15 dependents of members of the Armed Forces for each acci-
16 dent or illness.

17 (f) The Secretary of Defense, in contracting for such
18 insurance plan or plans, shall provide for a reduction of the
19 costs to the extent that dependents of members of the Armed
20 Forces participating in such plan are cared for in military
21 medical facilities.

22 (g) The charges for medical care rendered under such
23 private insurance plan by civilian physicians and surgeons
24 and hospitals and treatment facilities under civilian control
25 shall not be at rates in excess of the physician's, surgeon's,

1 hospital's, or treatment facility's standard schedule of charges
2 for semiprivate accommodations to the general public or to
3 group-insurance patients (whichever is lower) for the serv-
4 ices rendered.

5 SEC. 6. Dependents of members of the Armed Forces
6 who do not elect to participate in an insurance plan as au-
7 thorized under section 5 of this Act and who are in need
8 of medical care, for which military medical facilities are not
9 available, because of inaccessibility, lack of space, facilities,
10 or capabilities of the medical staff, are authorized to receive
11 medical care as provided in this section from duly licensed
12 physicians and facilities under civilian control. However,
13 no funds shall be expended for professional service except
14 in accordance with schedules of maximum fees and costs for
15 such professional service established by the Secretary of
16 Defense. In establishing such schedules, the Secretary of
17 Defense may consult with accredited medical associations
18 and any other agencies which he considers appropriate.
19 The payment for services rendered by hospitals and clinics
20 shall be at rates not in excess of the hospital's or clinic's
21 standard schedule of charges for semiprivate accommoda-
22 tions to the general public or to group-insurance patients,
23 whichever is lower, for the service rendered. As a restraint
24 on excessive demands for medical care, dependents receiving

1 medical care in civilian medical facilities, under the terms of
2 this section, shall be required to pay 30 per centum of the
3 first \$100 plus 15 per centum of the cost of the remainder
4 of inpatient care and 30 per centum of the cost of outpatient
5 care. However, in cases of protracted periods of illness or
6 other hardship cases, the Secretary of Defense may provide
7 for the transfer of such dependent to a military medical
8 facility or take such other appropriate action to alleviate
9 such hardship.

10 SEC. 7. As used in this Act—

11 (a) The term “member of the Armed Forces” in-
12 cludes—

13 (1) a person, appointed or enlisted in, or inducted,
14 called or conscripted into, the Army, Navy, Air Force,
15 or Marine Corps, or members of the reserve components
16 who have entered on extended active duty in excess of
17 ninety days but not including persons on duty for
18 training purposes only; and

19 (2) a member or former member of the Army,
20 Navy, Air Force, or Marine Corps, who is entitled to
21 retirement, or retainer pay or equivalent pay as a result
22 of service in the Army, Navy, Air Force, or Marine
23 Corps, other than those entitled to receive retired or
24 retirement pay pursuant to title III of the Army and
25 Air Force Vitalization and Retirement Equalization

1 Act of 1948, and those non-Regular officers of the Army
2 Navy, and Marine Corps placed on the emergency
3 retired list under Act of May 24, 1928, as amended, by
4 reason of disability incurred in World War I and their
5 dependents who are furnished medical care by the Vet-
6 erans' Administration.

7 (b) The term "dependent" includes—

8 (1) in the case of any male member—

9 (A) his lawful wife;

10 (B) his unmarried dependent children. The
11 term "children" shall, in addition to the member's
12 own or lawfully adopted children, include step-
13 children, or such other children as depend upon
14 the member for support and live with the member
15 in a regular child-parent relationship; children shall
16 not be included in the term "dependent" who are
17 over the age of twenty-one years, except such
18 children who are incapable of self-support because
19 of being mentally or physically incapacitated and
20 who are in fact dependent on the member for over
21 half of their support;

22 (C) his parents and parents-in-law if in fact
23 dependent on him for over half of their support;
24 and

25 (2) in the case of any female member—

1 (A) her lawful husband, if in fact dependent
2 on her for over half of his support;

3 (B) her unmarried dependent children. The
4 term "children" shall in addition to the member's
5 own or lawfully adopted children include stepchil-
6 dren, or such other children as depend upon the
7 the member for support and live with the member
8 in a regular child-parent relationship; children shall
9 not be included in the term "dependent" who are
10 over the age of twenty-one years, except such chil-
11 dren who are incapable of self-support because of
12 being mentally or physically incapacitated and who
13 are in fact dependent on the member for over half
14 of their support;

15 (C) her parents and parents-in-law if in fact
16 dependent on her for over half of their support; and

17 (3) unmarried widows and the dependent children
18 of persons who were members of the Armed Forces, as
19 defined in this Act, at the time of death are authorized
20 medical care under the terms of this Act.

21 SEC. 8. Medical care under this Act shall be limited to
22 the following:

- 23 (a) Diagnosis;
- 24 (b) Treatment of acute medical and surgical conditions;
- 25 (c) Treatment of contagious diseases:

1 (d) Immunization; and

2 (e) Maternity and infant care.

3 SEC. 9. Hospitalization shall not be authorized depend-
4 ents of members of the Armed Forces for the following:

5 (a) Domiciliary care and chronic diseases;

6 (b) Nervous and mental disorders (except for diagnostic
7 purposes); and

8 (c) Elective medical and surgical treatments as deter-
9 mined by the cognizant physician.

10 SEC. 10. (a) Dependents of members of the Armed
11 Forces shall not be provided prosthetic devices, hearing aids,
12 orthopedic footwear, and spectacles, except that outside the
13 continental limits of the United States and at remote stations
14 within the continental limits of the United States where ade-
15 quate civilian facilities are not available, those items, if avail-
16 able from military stocks, may be provided to dependents at
17 prices representing full cost to the Government.

18 (b) Dependents of members of the Armed Forces shall
19 not be provided—

20 (1) ambulance service, except in acute emergency,
21 and

22 (2) home calls except in special cases where it is
23 determined by the cognizant physician to be medically
24 necessary.

25 SEC. 11. Except outside the continental limits of the

1 United States and in remote areas within the continental
2 limits of the United States where adequate civilian dental
3 facilities are not available, dental treatment for dependents
4 of members of the Armed Forces will be restricted to emer-
5 gency dental care and dental care as a necessary adjunct to
6 medical or surgical treatment. Emergency dental care is de-
7 fined as the care required to relieve pain and suffering and
8 shall not include any permanent restorative work or dental
9 prosthesis. Dental treatment which may be provided de-
10 pendents of members of the Armed Forces under this section
11 will be obtained in military dental facilities and will depend
12 upon the availability of space, facilities, and capabilities of
13 the dental staff. Dependents of members of the Armed
14 Forces are not authorized dental care at Government expense
15 through civilian dental sources, except as a necessary adjunct
16 to inpatient medical or surgical treatment.

17 SEC. 12. There are hereby authorized to be appropriated
18 such sums as may be necessary to carry out the provisions
19 of this Act.

20 SEC. 13. (a) The following laws and parts of laws are
21 hereby repealed:

22 (1) So much of the Act of July 5, 1884 (ch. 217,
23 23 Stat. 107), as is contained in the proviso under the head-
24 ing "Medical Department".

1 (2) The Act of May 10, 1943 (ch. 95, 57 Stat. 80),
2 except section 4 of such Act.

3 (3) That part of section 326 (b) of the Act of July
4 1, 1944 (58 Stat. 697), which reads as follows: "Such
5 cost shall be at such uniform rate as may be prescribed from
6 time to time by the President for the hospitalization of de-
7 pendants of naval and Marine Corps personnel at any naval
8 hospital, pursuant to section 2 of the Act of May 10, 1943
9 (57 Stat. 80).".

10 (4) Public Law 108, approved June 20, 1949, to the
11 extent that it authorizes hospital and medical care for
12 dependents of the regular and reserve components of the
13 Armed Forces.

14 (b) All laws and parts of laws to the extent that they
15 are inconsistent with the provisions of this Act are hereby
16 repealed.

17 SEC. 13. This Act shall become effective one hundred
18 and twenty days from the enactment of this Act.

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